

1 baffles defining a plurality of openings which are positioned between adjacent  
cutting blades.--

#### REMARKS

5 The drawings were objected to under 37 C.F.R. 1.83(a) as set forth in paragraph  
1 of the Office Action dated October 4, 1996. Inasmuch as claimed "automatic means"  
has been cancelled in the claims, it is believed that the drawing objection is no longer  
pertinent.

With respect to paragraph 2 of the Office Action, the drawings will be corrected  
upon the allowance of claims.

10 The specification was objected to as failing to provide proper antecedent basis  
for the claimed subject matter. In paragraph 4 of the Office Action dated October 4,  
1996, many objections were made to the language of claims 1-8. Claims 1-8 have  
been cancelled without prejudice, with new claims 9-21 having been added to the  
application. It is believed that all of the objections set forth in paragraph 4 of the Office  
Action are no longer pertinent to the newly added claims. Further, the specification has  
15 been amended to delete the quotation marks set forth in certain parts of the application.

Claims 1-8 were rejected under 35 U.S.C. § 103 as being unpatentable over  
Kitamura (5,337,543).

20 The Examiner believes that Kitamura discloses a lawn mower having all of  
applicants' claimed structure with such structure being set forth in paragraph 6 of the  
October 4, 1996, Office Action. Generally speaking, applicants believe that the newly  
submitted claims clearly define patentable subject matter, as will be more fully set forth  
hereinbelow.

25 Claim 9 is directed to a multiblade lawnmower including a mower deck  
comprising a top wall, a front wall, a back wall and first and second side walls which

1 define a downwardly directed opening. Claim 9 also describes that the first side wall of  
the mower deck has a discharge opening formed therein, with the discharge opening  
having rearward and forward ends. Claim 9 specifically describes that there is a first  
5 flow control baffle positioned in the mower deck which extends downwardly from the  
interior surface of the top wall between the cutting blades and the front wall of the  
mower deck. Claim 9 further describes that the first flow control baffle extends  
substantially continuously from a first location adjacent the interior surface of the  
second side wall to a second location adjacent the interior surface of the first side wall  
and adjacent the forward end of the discharge opening.

10 Claim 10 is dependent on claim 9 and further adds the limitation that the second  
flow control baffle is positioned in the mower deck which extends downwardly from the  
interior surface of the top wall between the cutting blades and the back wall. Claim 10  
also describes that the second flow control baffle includes a plurality of semi-circular  
baffle portions with each of the baffle portions being positioned adjacent one of the  
cutting blades. Claim 10 further describes that the first and second flow control baffles  
15 define a plurality of openings which are positioned between adjacent cutting blades.

Claim 11 depends from claim 9 and further describes the specific construction of  
the first flow control baffle. Claim 12 depends from claim 11 and specifically describes  
the relationship of the substantially straight baffle portions which direct grass cuttings  
from one cutting blade towards the adjacent cutting blade between the baffles and a  
rotatable axis of the adjacent cutting blade. Claims 13 and 14 are dependent on claims  
20 10 and 12, respectively, claims 13 and 14 being variations of the claimed subject matter  
of claims 9-12.

Applicants' first flow control baffle, as described in claim 9, and applicants'  
second flow control baffle, as described in certain of the other claims, ensures that the  
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1 grass cuttings will be discharged from the discharge opening of the mower deck in a  
uniform pattern without the grass cuttings being deflected downwardly from within the  
mower deck. Further, applicants' flow control baffles, as described in claims 9-14,  
enable the grass to be discharged from the side discharge in a more efficient manner  
5 which requires less horsepower than normally consumed by prior art machines.  
Kitamura is completely silent as to any teachings even remotely resembling applicants'  
claimed flow control baffles. There is absolutely no teaching of any structure in  
Kitamura even remotely similar to that described in claims 9-14 and it is submitted that  
claims 9-14 define patentable subject matter which is not anticipated by the Kitamura  
10 patent nor made obvious by the Kitamura patent. Accordingly, claims 9-14 should be  
allowed.

Claim 15 is an independent claim and is directed to a riding lawn mower. Claim  
15 specifically describes that the frame means of the mower has an engine support  
deck which is disposed in a plane closely adjacent the rotational axes of the first and  
second drive wheels. Claim 15 further describes that the mower deck has a first,  
15 vertically disposed shaft rotatably mounted in the mower deck at the rearward end  
thereof and which has an upper end positioned above the top wall of the mower deck.  
Claim 15 further describes that an upper pulley is mounted on the upper end of the first  
shaft above the top wall of the mower deck for rotation with the first shaft. Additionally,  
claim 15 describes that there is a lower pulley mounted on the first shaft, for rotation  
20 therewith, below the upper pulley. Claim 15 specifically describes that the lower pulley  
is substantially disposed in the same plane as the top wall of the mower deck. Claim  
15 specifically describes a first belt means which interconnects the upper pulley with  
the pulleys on the spindles of the cutting blades. Additionally, claim 15 describes that  
an engine is mounted on the engine deck and has a horizontally disposed, rearwardly  
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1 extending, rotatable drive shaft having a drive pulley mounted thereon. Claim 15  
describes first and second idler pulleys which are rotatably mounted on the frame  
means, about a horizontal axis, which is substantially transverse with respect to the  
rotational axis of the engine drive shaft. Claim 15 concludes with the limitation that  
5 there is a belt means which extends around the drive pulley, the idler pulleys, and the  
lower pulley of the first shaft for supplying driving power to the cutting blades.

Claim 16 depends from claim 15 and describes that the top wall of the mower  
deck has an opening formed in its rearward end which rotatably receives the lower  
pulley and which at least partially receives the belt means extending from the drive  
10 pulley. Claim 17 depends from claim 16 and further describes the connection between  
the first and second hydraulic motors and the horizontally disposed, forwardly  
extending drive shaft of the engine.

At first blush, it might seem that the structure described in claims 15, 16 and 17  
would be obvious, but such is not the case. The fact that the lower pulley, which is  
operatively connected to the drive pulley on the engine, is disposed in substantially the  
15 same plane as the top wall of the mower deck is quite important in that it permits the  
engine to be lowered on the frame means so that the center of gravity of the mower will  
be lowered which increases the safety of the mower on hills or the like. If the drive  
pulley of the engine was connected to a pulley positioned above the mower deck, such  
as in Kitamura et al., the engine would obviously have to be raised on the frame means  
20 a like amount to enable the belt means to efficiently interconnect the same. As  
described in claim 16, the rearward end of the top wall of the mower deck is provided  
with an opening which permits the lower pulley to be positioned in the same plane as  
the top wall of the mower deck.

1       The prior art is completely silent as to any teaching even remotely similar to that  
described in claims 15-17. In fact, Kitamura teaches that the drive belt which is  
operatively connected to the engine is positioned above the pulleys on the cutting  
blade spindles. Accordingly, it is believed that applicants' mower structure as set forth  
5       in claims 15-17 would not be obvious under 35 U.S.C. § 103 on the basis of Kitamura.  
Accordingly, claims 15-17 should be allowed.

10       Claim 18 describes the linkage means which permits the mower deck to be  
quickly and easily raised from a previously determined mowing position to a raised  
position so that the mower deck may cross uneven terrain, curbs, etc. Although the  
prior art includes some means for adjusting the vertical height of floating mower decks,  
the prior art is completely silent as to any means such as that described in claims 18,  
19 and 20. Although applicants' structure as described in these claims might seem to  
be fairly simple, it is the structure described in those claims which achieves significant  
advantages and results over that of the prior art. For example, referring to the  
15       drawings, Figure 4 illustrates the operator handle in a position such that it is resting on  
a pin 48. If desired, the pin 48 could be placed in any of the openings 46 positioned  
thereabove so that the floating mower deck would not be permitted to be lowered  
beyond a certain point with respect to the ground. Perhaps the most important aspect  
of applicants' claimed invention is that the handle may be quickly and easily raised from  
the position illustrated by solid lines in Figure 4 to the position illustrated by broken  
20       lines in Figure 4. If the operator desires to go over a curb, obstruction or the like, the  
operator simply pulls upwardly on the handle until the handle is positioned above the  
recessed portion 45C shown in Figure 4A. The operator may then position the handle  
in the recessed portion and then release his hand from the handle with the recessed  
portion maintaining the mower deck in its upper position. When it is desired to resume  
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1 the normal cutting position, the operator simply removes the handle from the recessed  
portion and lowers the handle, without looking at the same, until the handle engages  
the pin 48, at which time the operator will feel and know that the mower deck is in the  
proper position. In applicants' invention, there is no need for pins to be removed and  
5 replaced each time the mower deck is to be raised to its transport position. Applicants'  
invention as described in claims 18 and 19 is clearly not made obvious by the prior art,  
since there is absolutely no teaching that even comes close to making applicants'  
invention obvious. Kitamura simply does not disclose or teach any structure which  
would make applicants' structure obvious. Accordingly, claims 18 and 19 should be  
10 allowed.

Claim 20 is directed to the structure shown in Figure 5 of the patent drawings.  
Essentially, a pulley arrangement is illustrated which enables the forwardly extending  
drive shaft of the engine to be connected to the pulleys of the hydraulic pumps so that  
each of the hydraulic pumps may be rotated in the same direction. Although it may  
15 seem rudimentary that if a person could not rotate the pumps in the same direction, that  
person would simply obtain a pump which could be rotated in an opposite direction  
without attempting to devise some type of belt arrangement to enable both of the  
hydraulic pumps to be rotated in the same direction, the same is not true. By enabling  
both of the hydraulic pumps to be operated in the same direction, only a single type of  
20 hydraulic pump needs to be maintained in inventory, rather than two types of hydraulic  
pumps. The pulley arrangement disclosed in claim 20 also provides for a very compact  
interconnection between the forwardly extending drive shaft of the engine and the  
hydraulic pumps.

1 Kitamura is silent as to any teachings which would enable a pair of hydraulic  
pumps to be rotated in the same direction, as required by claim 20. Accordingly, it is  
not believed that claim 20 would have been obvious in view of the prior art.

5 Claim 21 has also been added to the application which is essentially identical to  
claim 10, which is dependent on claim 9, except that the back wall of the mower deck is  
not specifically described, since the second flow control baffle could be the back wall of  
the mower deck. Claim 21 is believed to be allowable for the reasons expressed in  
support of claims 9 and 10 hereinabove.

10 The foregoing has clearly shown that applicants' invention described in the  
claims would not have been obvious to a person having ordinary skill in the art at the  
time of the invention. Accordingly, the Examiner is respectfully requested to allow  
claims 9-20.

15 A copy of the foregoing Amendment was previously forwarded to the Patent  
Office on January 20, 1997, but was inadvertently sent unsigned. In order to correct  
this oversight, a signed original of the foregoing Amendment and copies of the Request  
for One Month Extension of Time, cover letter and Revocation of and New Power of  
Attorney are attached hereto. The fees for additional claims and the one month  
extension were previously forwarded to the Patent Office on January 20, 1997.

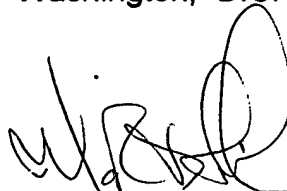
20 Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that the original of this AMENDMENT for GARRY W. BUSBOOM, ET AL., Serial No. 08/559,575, was mailed by first class mail, postage prepaid, to the Assistant Commissioner of Patents, Washington, D.C. 20231, on this 4th day of February, 1997.



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